THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.20120 of 2005

Dated: 13.09.2005

V.Kavitah

--------- Petitioner

The Govt of A.P., rep. By its Principal Secretary,

Endowments Department, Secretariat, Hyderabad and others

-------- Respondents

ORDER:

The petitioner was engaged as a Social Scientist by Sri Kalahasteeswara Swamivari Devasthanam (for short 'the Devasthanam') in the year 1998. That assignment continued till September, 2003. In May, 2005, the petitioner submitted a representation to the Devasthanam for appointing her against the existing vacancies. The Devasthanam submitted a proposal to the then Commissioner of Endowments. Through proceedings, dated 25.07.2005, the Commissioner accorded permission to the Executing Officer of the Devasthanam to engage the services of the petitioner as 'Women Guide' for a period of eleven (11) months on payment of S.S.R. rates. The same was implemented by the Devasthanam.

The Government issued G.O.Ms.No.1422, dated 25.07.2005, cancelling the various appointments, promotions etc., effected pursuant to the orders passed by the then Commissioner of Endowments. The case of the petitioner was brought under the purview of the same and through proceedings, dated 17.08.2005, the Executive Officer of the Devasthanam had cancelled the engagement of the petitioner. Hence, this writ petition.

Heard the learned counsel for the petitioner, the learned Government Pleader for Endowments and the learned Standing Counsel for the Devasthanam.

A batch of identical writ petitions was dealt with by this Court. Having regard to the far reaching implications in the matters and the large scale irregularities said to have been committed during the tenure of the previous Commissioner, the action of the Government in invoking its jurisdiction under 93 of the A.P.Charitable Hindu Religious Institutions and Endowments Act, 1987 was upheld. However, the Government was directed to issue individual notices to the affected parties, in such of the cases, where the orders passed by the then Commissioner resulted in conferment of additional benefits on the existing employees and their previous positions were secured. However, where the appointments were made afresh, no such benefit was extended.

For the foregoing reasons, the writ petition is disposed of, directing the 1st respondent to issue notice to the petitioner, pointing out the alleged defects or irregularities in her engagement as Women Guide. On considering her representation and taking the relevant matters into account, the 1st respondent shall pass appropriate orders, within a period of two months from the date of receipt of a copy of this order. In case, no such orders are passed and the delay is not attributable to the petitioner, she shall be restored to the position, which she had occupied before the impugned order came to be passed. There shall be no order as to costs.

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13.09.2005

Note: Issue C.C. in three days.

(B/o)

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